

In the Court of Appeals of the State of Alaska

Michael C Redfox,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13592**

Order

Date of Order: **1/27/2020**

Trial Court Case No. **4EM-18-00030CR**

On January 13, 2020, Michael Charles Redfox filed a motion to accept late-filed notice of appeal and appointment of counsel. He also filed a motion asking this Court to allow him to proceed at public expense.

In the proceedings below, Mr. Redfox was initially represented by an Assistant Public Defender, but the trial court allowed that attorney to withdraw and Mr. Redfox represented himself at trial. Because Mr. Redfox was entitled to the assistance of counsel at public expense during the trial, he is likely also entitled to the assistance of counsel at public expense during the appellate proceedings.

Accordingly, **IT IS ORDERED:**

1. This case is **remanded** to the superior court to determine whether Mr. Redfox is entitled to court-appointed counsel to assist him in the current appellate proceedings. If Mr. Redfox is so entitled, then the superior court shall appoint counsel and direct that attorney to promptly file an entry of appearance with this Court. If Mr. Redfox is not so entitled, then the superior court shall make appropriate findings and inform this Court of these circumstances.

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3. The superior court's report on these matters shall be transmitted to this Court on or before February 26, 2020. This deadline can be extended for good cause.

4. Mr. Redfox's motion to accept late-filed notice of appeal and motion to proceed at public expense are **held in abeyance**, pending the superior court's report upon remand.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts

Sarah Anderson, Deputy Clerk

cc: Judge Nathaniel Peters
Bethel Trial Court Clerk

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